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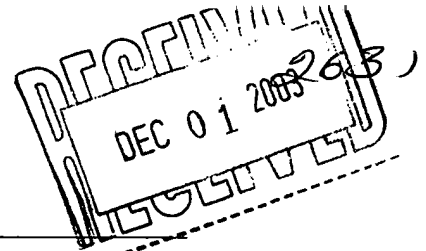
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11-21-03



Filed Via Express Mail  
Rec. No.: EV 332243695 US  
On : November 20, 2003

By

Eric L. Maldonado

Any fee due as a result of this paper, not covered by an enclosed check, may be charged on Deposit Acct. No.50-1290.

Attorney Docket No. FUJA 16.140 (100794-11209)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor: Seiji MIYOSHI, et al.  
Serial No.: 09/318,445  
Filed: May 25, 1999  
Title: DIGITAL SUBSCRIBER LINE...  
Examiner: Pankaj Kumar  
Art Unit: 2631

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NOV 26 2003

Technology Center 2600

November 20, 2003

Director of the U.S. Patent and  
Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

S I R:

In order to comply with discretionary rules 37 CFR §§1.97 and 1.98, attached hereto is a copy of Form PTO-1449 and copies of the documents listed thereon. These documents contain information in which the Examiner may consider to be important in deciding whether to issue a patent in the instant application.

As this statement is being filed prior to issuance of a first Office Action, no fee is due.

Also attached are copies of six separate Notices of Reasons for Rejection dated March 25, 2003, April 15, 2003 & April 30, 2003, from corresponding Japanese Patent Applications. All of the documents listed in Form PTO-1449 appear in the Notices of Reasons for Rejection.

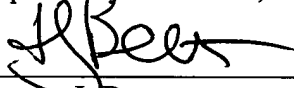
As these documents are written in a language other than English, English Language abstracts and equivalents are annexed thereto explaining their relevancy in accordance with 37 CFR §1.98(a)(3).

The present Information Disclosure Statement is being submitted in compliance with 37 §CFR 1.56 as an Examiner might consider any cited document important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104 (a), and in the course of such search will review for relevance every document cited on the attached form even if not initialed.

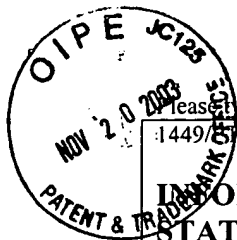
Early and favorable consideration is respectfully solicited.

**Any fee due with this paper may be charged on Deposit Account 50-1290.**

Respectfully submitted,

  
\_\_\_\_\_  
Thomas J. Bean  
Reg. No. 44,528

Katten Muchin Zavis Rosenman  
575 MADISON AVENUE  
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(212) 940-8800  
DOCKET NO.: FUJA 16.140(100794-11209)



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Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

1449/870

U.S. Department of Commerce  
Patent and Trademark Office

Application No. : 09/318,445

Filing Date : May 25, 1999

First Named Inventor: S. MIYOSHI

Group Art Unit : 2631

Examiner Name : P. KUMAR

Attorney Docket No. : FUJA 16.140

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STATEMENT BY APPLICANT**

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**U.S. PATENT DOCUMENTS**

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Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document	Kind Code if known <sup>2</sup>	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns Lines Where Relevant Passages or Relevant Figures Appear
		5,400,322		HUNT, et al.	03/21/1995	
		6,574,282		OKADO	06/03/2003	
		5,627,863		ASLANIS, et al.	05/06/1997	
		6,134,283		SANDS, et al.	10/17/2000	

**FOREIGN DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document Office <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Country	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY/Y	Pages, Columns Lines Where Relevant Passages or Relevant Figures Appear
		11-313043	JP	NEC CORP	11/09/1999	Corresponds to US Patent No. 6,574,282
		10-303872	JP	TSUTSUI TAKASHI	11/13/1998	
		11-168515	JP	SUMITOMO ELECTRIC IND LTD, et al.	06/22/1999	
		10-502511	JP		03/03/1998	Corresponds to US Patent No. 5,627,863
		11-289309	JP	AMATI COMMUN CORP	10/19/1999	Corresponds to US Patent No. 6,134,283
		11355183	JP	MITSUBISHI ELECTRIC CORP	12/24/1999	
		08-172671	JP	N T T IDO TSUSHINMO KK	07/02/1996	
		08-088626	JP	FUJITSU LTD	04/02/1996	

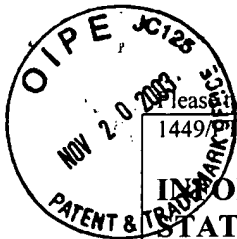
**Other Prior Art-Non Patent Literature Documents**

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), data, page(s), volume-issue number(s), publisher, country, where published, source.	Applicant check her if English language translation attached
Examiner Signature		Date Considered	

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that Issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.1<sup>6</sup> if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

1449/PFO

U.S. Department of Commerce  
Patent and Trademark Office

Application No. : 09/318,445

Filing Date : May 25, 1999

First Named Inventor: S. MIYOSHI

Group Art Unit : 2631

Examiner Name : P. KUMAR

Attorney Docket No. : FUJA 16.140

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**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document	Kind Code if known <sup>2</sup>	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns Lines Where Relevant Passages or Relevant Figures Appear
		6,009,122		CHOW	12/28/1999	
		5,991,311		LONG, et al.	11/23/1999	

**FOREIGN DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document Office <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Country	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY/Y	Pages, Columns Lines Where Relevant Passages or Relevant Figures Appear
		2000-514991	JP		11/07/2000	Corresponds to US Patent No. 6,009,122
		61-218240	JP	TOSHIBA CORP	09/27/1986	
		2000-032096	JP	SENCIRYUUMU TECHNOL CORP	01/28/2000	Corresponds to US Patent No. 5,991,311
		11-341153	JP	FUJITSU LTD	12/10/1999	Corresponds to WO Patent No. 99/53679
		99/53679	WO	FUJITSU LTD	10/21/1999	
		2002-519886	JP		07/02/2002	Corresponds to WO Patent No. 99/67890
		99/67890	WO	PC TEL, INC.	12/29/1999	
		11-331106	JP	NEC CORP	11/30/1999	
		11-163307	JP	SUMITOMO ELECTRIC IND LTD	05/21/1999	

**Other Prior Art-Non Patent Literature Documents**

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), data, page(s), volume-issue number(s), publisher, country, where published, source.	Applicant check her if English language translation attached
Examiner Signature		Date Considered	

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that Issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.1<sup>1</sup> if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

1440/PTO

U.S. Department of Commerce  
Patent and Trademark Office

Application No. : 09/318,445

Filing Date : May 25, 1999

First Named Inventor: S. MIYOSHI

Group Art Unit : 2631

Examiner Name : P. KUMAR

Attorney Docket No. : FUJA 16.140

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**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document	Kind Code if known <sup>2</sup>	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns Lines Where Relevant Passages or Relevant Figures Appear
		6,510,184		OKAMURA	01/21/2003	

**FOREIGN DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document Office <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Country	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY/Y	Pages, Columns Lines Where Relevant Passages or Relevant Figures Appear
		10-56486	JP	FUJITSU LTD	02/24/1998	
		2002-500855	JP		01/08/2002	Corresponds to WO Patent No. 99/50967
		99/50967	WO	MATSUSHITA GRAPHIC COMMUNICATION SYSTEMS, INC.	10/07/1999	
		11-261665	JP	MATSUSHITA GRAPHIC COMMUNICATION SYSTEMS, INC.	09/24/1999	Corresponds to WO Patent No. 99/35756
		99/35756	WO	MATSUSHITA GRAPHIC COMMUNICATION SYSTEMS, INC.	07/15/1999	
		2000-078105	JP	NEC CORP	03/14/2000	Corresponds to US Patent No. 6,510,184

**Other Prior Art-Non Patent Literature Documents**

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), data, page(s), volume-issue number(s), publisher, country, where published, source.	Applicant check her if English language translation attached
		OKADO, et al., "A STUDY ON ADSL SYSTEM FOR TCM-ISDN CROSSTALK 1998 IEICE GENERAL CONFERENCE, p. 403	
Examiner Signature		Date Considered	

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that Issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.1<sup>6</sup> if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

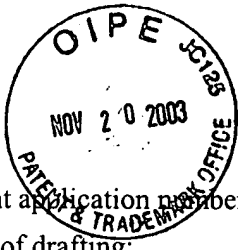
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Filing number 983331-1

Transmission number: 093779

Transmission date: March 25, 2003

1/2



### Notice of Reasons for Rejection

Patent application number:

Patent Application 2002-269683

Date of drafting:

March 14, 2003

Patent Office examiner:

Yo Takano 9647 5K00

Patent applicant's agent:

Juinichi Yokoyama

Applicable provisions:

Article 29-2

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Technology Center 2600

This application must be rejected for the following reasons. If you have an opinion concerning this, please submit an argument within 60 days from the transmission date of this notice.

### Reasons

Under the provisions of article 29-2 of the Patent Law, the invention relating to the following claims of this application may not be granted a patent, because it is the same as the invention described in the specification or drawings attached to the beginning of the following patent application, which was a patent application prior to the application and was applied for and published after the application, and moreover the inventor in this application is not the same as the person who made the above invention relating to the patent application prior to the application, and at the time of this application the applicant is not the same as the applicant of said patent application.

\*\*\* (For the cited references, etc., see the Table of cited references, etc.)

### Table of cited references, etc.

1. Patent application H10-366982 (unexamined patent 2000-78105)

- Claims: 1-8
- Cited reference, etc.: 1
- Remarks:

Cited example 1 describes determining the SNR [signal-to-noise ratio] for the NEXT and FEXT intervals, respectively, and determining the number of bits, and because there are found to be no particular differences from the technology described in claims 1-8, the two are deemed to be substantially the same.

(Also, the above is deemed to be stated in patent application H10-46535 [1998], on which cited example 1 is based.)

[square stamp:]  
[illegible]  
28 March 2003  
Handling deadline  
16 May 2003

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Record of results of search of prior technical literature

- Field searched: IPC version 7  
H04J 11/00
- Prior art references

This record of the results of a search of the prior technical literature does not constitute grounds for rejection.

Direct any inquiries concerning the content of this notice of reasons for rejection, or any request for a meeting, to the following contact person.

Yo Takano, Digital Communications Patent Examination Department 4

TEL: 03(3581)1101, extension 3555

FAX: 03(3501)0699